

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MAN FERROSTAAL, INC.

07 CV 7302 (BSJ)

Plaintiff,

ANSWER
TO CROSS-CLAIM
WITH AFFIRMATIVE
DEFENSES

-against-

M/V SMART, her engines, boiler, tackle,
etc., CARGO-LEVANT SCHIFFFAHRTSGES MBH,
WESTERN BULK CARRIER AS, MARYVILLE
MARITIME INC., GREENPOINT MARINE SA.,

Defendants.
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Defendant WESTERN BULK CARRIER AS ("WBC") ("answering defendant"), by its attorneys MAHONEY & KEANE, LLP, answers the Cross-Claim of defendant CARGO-LEVANT SCHIFFFAHRTSGES MBH upon information and belief as follows:

FIRST: Answering defendant denies each and every allegation contained in paragraphs "21", "22", "23" and "24" of the Cross-Claim of defendant CARGO-LEVANT SCHIFFFAHRTSGES MBH.

AS AND FOR A FIRST SEPARATE AND COMPLETE AFFIRMATIVE DEFENSE

SECOND: Defendant WESTERN BULK CARRIERS AS repeats, reiterates and makes applicable to co-defendant CARGO-LEVANT SCHIFFFAHRTSGES MBH's Cross-Claim each Separate and Complete Affirmative defense in WESTERN BULK CARRIERS AS's Answer to plaintiff's Complaint as if specifically set forth herein at length.

WHEREFORE, defendant WESTERN BULK CARRIERS AS demands judgment dismissing the Cross-Claim herein, and awarding defendant WESTERN BULK CARRIERS AS, fees, including reasonable attorneys fees and disbursements of this action, and further demands judgment against the co-defendant CARGO-LEVANT SCHIFFFAHRTSGES MBH for all sums which may be recovered by plaintiff against the defendant WESTERN BULK CARRIERS AS, attorneys fees and disbursements of this action, and granting to WESTERN BULK CARRIERS AS such other and further relief as to the Court may seem just and proper.

Dated: New York, N.Y.
June 9, 2008

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